

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DKT: VAN EIJK-17

In re application of:

Michael J. T. VAN EIJK

Serial No. 10/560,968

Nat'l Phase Entry: : March 19, 2007

For: MEANS AND METHOD FOR THE DETECTION OF
TARGET NUCLEOTIDE SEQUENCES USING LIGATION
ASSAYS WITH IMPROVED OLIGONUCLEOTIDE PROBE
PAIRS

Confirmation No. 2423

Art Unit: 1637

Examiner: Joyce TUNG

Washington, D.C.

March 13, 2009

Response to Notice of Non-Compliant Amendment Under 37 CFR § 1.121

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, **Mail Stop Amendments**
401 Dulany Street
Alexandria, VA 22314

Sir:

This paper responds to the *Notice* mailed 03-09-2009 indicating absence of amendment markings in Claim 40 while its status identifier was “currently amended.”

A replacement set of claims with correction of the omitted markings is found in the Listing of Claims at page 2 of this paper.

Applicants refer the Examiner to the paper filed on March 4, 2009, for their response to the Restriction Requirement and applicable remarks.

REMARKS begin at page 7.